

HOUSE BILL NO. 558

INTRODUCED BY D. BROWN, KEANE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TERMS OF THE NONRESIDENT
5 TEMPORARY-SNOWMOBILE-USE PERMIT; REMOVING THE REGISTRATION EXEMPTION FOR
6 SNOWMOBILES REGISTERED IN ANOTHER STATE OR COUNTRY THAT ARE INTENDED TO BE
7 TEMPORARILY USED WITHIN THIS STATE FOR NOT MORE THAN 30 DAYS; INCREASING THE FEE FOR
8 A NONRESIDENT TEMPORARY-SNOWMOBILE-USE PERMIT AND DIRECTING EXPENDITURE OF THE
9 FEE FOR SNOWMOBILE TRAIL GROOMING ASSISTANCE IN IMPACTED AREAS, FOR INCREASED
10 ENFORCEMENT OF SNOWMOBILE LAWS, AND FOR THE STATEWIDE SNOWMOBILE TRAIL GROOMING
11 PROGRAM; PROVIDING THAT A NONRESIDENT TEMPORARY-SNOWMOBILE-USE PERMIT IS VALID
12 DURING THE ~~CALENDAR~~ FISCAL YEAR IN WHICH IT IS ISSUED; PROVIDING THAT A NONRESIDENT
13 TEMPORARY-SNOWMOBILE-USE PERMIT IS NOT REQUIRED FOR A SNOWMOBILE THAT WILL BE USED
14 ONLY ON TRAILS THAT ARE MANAGED JOINTLY BY AGREEMENT BETWEEN MONTANA AND ANOTHER
15 STATE; AMENDING SECTIONS 23-2-614 AND 23-2-615, MCA; AND PROVIDING A AN ~~DELAYED~~
16 EFFECTIVE DATE."

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18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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20 **Section 1.** Section 23-2-614, MCA, is amended to read:
21 **"23-2-614. Exemptions.** (1) (a) The provisions of 23-2-601 through 23-2-644, with respect to
22 registration, tax-paid decals, and certification of ownership, do not apply to snowmobiles owned or used by the
23 United States or another state or any agency or political subdivision thereof, ~~any snowmobile registered in a~~
24 ~~country other than the United States and to be temporarily used within this state for a period of not more than~~
25 ~~30 days, or to any snowmobile registered in another state of the United States but to be temporarily used within~~
26 ~~this state for not more than 30 days~~ of the United States or another state.

27 (b) Snowmobiles owned by the state of Montana or any agency or political subdivision thereof of the
28 state are exempt only from the payment of fees and ~~shall~~ must otherwise comply with all the requirements of
29 23-2-601 through 23-2-644.

30 (2) The provisions of 23-2-601 through 23-2-644 with respect to registration, tax-paid decals, and

1 certification of ownership do not apply to unregistered snowmobiles owned by nonresidents of the state of
2 Montana who either:

- 3 (a) display visual proof that a nonresident temporary-use permit has been purchased; or
4 (b) use the snowmobile only in races and for not more than 30 days in the state. "Race" means an
5 organized competition on a predetermined course that is run according to accepted rules."
6

7 **Section 2.** Section 23-2-615, MCA, is amended to read:

8 **"23-2-615. Nonresident temporary-use permits -- use of fees.** (1) The requirements pertaining to
9 the nonresident temporary-snowmobile-use permit are as follows:

10 (a) Application for the issuance of the permit must be made at locations and upon forms prescribed by
11 the department. The forms must include but are not limited to:

- 12 (i) the applicant's name and permanent address; and
13 ~~(ii) the make, model, year, and serial number of the snowmobile; and~~
14 ~~———(iii)(ii)~~ an affidavit declaring the nonresidency of the applicant.

15 (b) Upon submission of the application and a fee of ~~\$6~~ \$15 ~~\$16~~ \$15, a nonresident
16 temporary-snowmobile-use sticker must be issued. The sticker must be ~~displayed~~ permanently affixed in a
17 conspicuous manner on the snowmobile.

18 (2) The temporary permit is valid ~~for a consecutive 30-day period as designated by the permit during~~
19 the calendar FISCAL year in which it is issued.

20 (3) The permit is not proof of ownership, and a certificate of ownership may not be issued.

21 (4) (a) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that qualifies
22 as a racing snowmobile under 23-2-622.

23 (b) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that will be used
24 only on trails that are managed jointly by agreement between Montana and another state.

25 (5) ~~All money~~ Money collected by payment of fees under this section must be ~~remitted to the department~~
26 ~~of revenue and deposited in the state general fund~~ special revenue fund to the credit of the department and used
27 as follows:

28 (a) \$8 must be expended in areas that are impacted by nonresident snowmobile use to assist in
29 offsetting snowmobile trail grooming costs;

30 (b) \$2 must be used by the department for the enforcement of snowmobile laws pursuant to 23-2-641;

1 (c) ~~50 cents~~ \$1.50 50 CENTS must be remitted to the license agent who sold the nonresident
 2 temporary-snowmobile-use permit; and

3 (d) \$4.50 must be used by the department for the statewide snowmobile trail grooming program.

4 (6) The failure to display the permit as required by this section or the making of false statements in
 5 obtaining the permit is a misdemeanor, punishable by a fine of not less than \$25 or more than \$100."

6
 7 NEW SECTION. SECTION 3. COORDINATION INSTRUCTION. IF SENATE BILL NO. 112 AND [THIS ACT] ARE BOTH
 8 PASSED AND APPROVED, THEN [SECTION 4] OF SENATE BILL NO. 112, AMENDING 23-2-615, IS VOID AND [SECTION 2 OF
 9 THIS ACT], AMENDING 23-2-615, IS AMENDED TO READ:

10 "Section 2. Section 23-2-615, MCA, is amended to read:

11 "**23-2-615. Nonresident temporary-use permits -- use of fees.** (1) The requirements pertaining to
 12 the nonresident temporary-snowmobile-use permit are as follows:

13 (a) Application for the issuance of the permit must be made at locations and upon forms prescribed by
 14 the department. The forms must include but are not limited to:

15 (i) the applicant's name and permanent address; and

16 ~~(ii) the make, model, year, and serial number of the snowmobile; and~~

17 ~~———(iii)~~(ii) an affidavit declaring the nonresidency of the applicant.

18 (b) Upon submission of the application and a fee of ~~\$6~~ \$15 ~~\$16~~ \$15, of which 50 cents is a search and
 19 rescue surcharge, a nonresident temporary-snowmobile-use sticker must be issued. The sticker must be
 20 displayed permanently affixed in a conspicuous manner on the snowmobile.

21 (2) The temporary permit is valid ~~for a consecutive 30-day period as designated by the permit during~~
 22 the fiscal year in which it is issued.

23 (3) The permit is not proof of ownership, and a certificate of ownership may not be issued.

24 (4) (a) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that qualifies
 25 as a racing snowmobile under 23-2-622.

26 (b) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that will be used
 27 only on trails that are managed jointly by agreement between Montana and another state.

28 (5) ~~All money~~ Except as provided in subsection (1)(b), money collected by payment of fees under this
 29 section must be ~~remitted to the department of revenue and deposited in the state general fund~~ special revenue
 30 fund to the credit of the department and used as follows:

1 (a) \$8 must be expended in areas that are impacted by nonresident snowmobile use to assist in
2 offsetting snowmobile trail grooming costs;

3 (b) \$1.50 must be used by the department for the enforcement of snowmobile laws pursuant to
4 23-2-641;

5 (c) ~~50 cents \$1.50~~ 50 CENTS must be remitted to the license agent who sold the nonresident
6 temporary-snowmobile-use permit; and

7 (d) \$4.50 must be used by the department for the statewide snowmobile trail grooming program.

8 (6) The failure to display the permit as required by this section or the making of false statements in
9 obtaining the permit is a misdemeanor, punishable by a fine of not less than \$25 or more than \$100.""

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11 NEW SECTION. Section 4. Effective date. [This act] is effective ~~January 1, 2004~~ JULY 1, 2003.

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